UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/859,667	05/18/2001	William Race Dowling	42336.010500	3346

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GREENBERG-TRAURIG
1750 TYSONS BOULEVARD, 12TH FLOOR
MCLEAN, VA 22102

EXAMINER
JUNG, DAVID YIUK

ART UNIT	PAPER NUMBER
2134	

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on <u>08 May 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) <u>1-64</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) <u>1-64</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

CLAIMS PRESENTED

Claims 1-64 are presented.

Of which:

Claims 1-21, 46-52, 54, 57, 59, 62, 64 are rejected over PGP; and

Claims 22-45, 53, 55-56, 58, 60-61, 63 are rejected over PGP and

admissions against prior art.

Response to Arguments

Applicant asserts that the newly added features are not taught by PGP. This

cannot be true because PGP is a well established exemplar of the network security.

Such session handlings are inherent in network security.

Applicant's arguments can be divided into two sub-arguments.

First, Applicant argues that session handlings, especially those that use user

profiles are not inherent to the situation of PGP and that PGP cannot teach such. This

is wrong because PGP inherently applies to user situations. Indeed, the particular cited

art even notes emails. Emails are inherently between users.

Second, Applicant argues that virtual air gaps, as claimed, cannot be well known.

For this consider the cited reference itself. Using the PGP, the emails are kept private.

Thus, there are gaps causing privacy.

In conclusion, Applicant is not yet persuasive.

CLAIM REJECTIONS

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

Claims 1-21, 46-52, 54, 57, 59, 62, 64 are rejected under 35 U.S.C. 103(a) as

being unpatentable over PGP (Quote from *"E-Mail Security: How to Keep your*

Electronic Messages Private by Bruce Schneier; John Wiley & Sons, Inc. 1995·as

printed in http://www.trincoll.edu/depts/cpsc/cryptography/pgp.html -- cited and

provided in an earlier Office Action).

Regarding claim 1, PGP teaches all but "resource" (PGP, example paragraph,

session key being used per session, authentication between Chris and Brian, thus a

session level authentication).

These passages of PGP does not mention "resource" in the sense of the claim.

The claim appears to refer to more than mere email resource; the claim appears to refer

to a generalized resource.

Nevertheless, it was well known in the art to (if not in 1995, then at least by the

time of the filing date of this application) to control "resource" in such fashion for the

motivation of having more complete security.

Hence, it would have been obvious to those of ordinary skill in the art at the time

of the claimed invention to modify PGP for the motivation noted in the previous

paragraphs so as to teach the claimed invention.

Regarding claim 2 (reverse proxy, etc..), such particular features are well known

in the art for the purpose of handling information across computers. Regarding claim 3

(other layers unaware of the sub-layer handling, etc.), such particular features are well

known in the art for the purpose of handling information across computers. For

example, PGP itself handles per session. PGP would not necessarily interfere with

security handlings of other layers. Regarding claims 3-21, 46-52, 54, 57, 59, 62, 64,

such particular features are well known in the art for the purposes of handling

information across computers and of security. Regarding claims 46-52, 62, such

rulebases are well known in the art for the motivation of efficient control of networks.

Claims 22-45, 53, 55-56, 58, 60-61, 63 are rejected over PGP and admissions

against prior art.

Regarding claim 22, PGP teaches all but "virtual gap" (PGP, example paragraph,

session key being used per session, authentication between Chris and Brian, thus a

session level authentication).

These passages of PGP does not mention "virtual gap" in the sense of the claim.

At pages 1-5 (especially page 3 during discussion of trusted operating system

and page 5 during discussion of virtual air gaps), the specification of this application

noted that such features are well known in such fashion for the motivation of having

more complete security.

Hence, it would have been obvious to those of ordinary skill in the art at the time

of the claimed invention to modify PGP for the motivation noted in the previous

paragraphs so as to teach the claimed invention.

Regarding claim 23 (other layers unaware of the sub-layer handling, etc.), such

particular features are well known in the art for the purpose of handling information

across computers. For example, PGP itself handles per session. Regarding claim 24

(bundling of transport layer, etc.), such features are well known in the art of network for

the motivation of efficiency. For example, TCIP/IP itself bundles the transport layer

differently than the classic OSI model. Regarding claims 25-45, 53, 55-56, 58, 60-61,

63, such particular features are well known in the art for the purposes of handling

information across computers and of security. Regarding claims 29, such rulebases are

well known in the art for the motivation of efficient control of networks.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's

disclosure. The art disclosed general background.

Points of Contact

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-3836 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Jacques Louis-Jacques whose telephone number is (571) 272-6962.
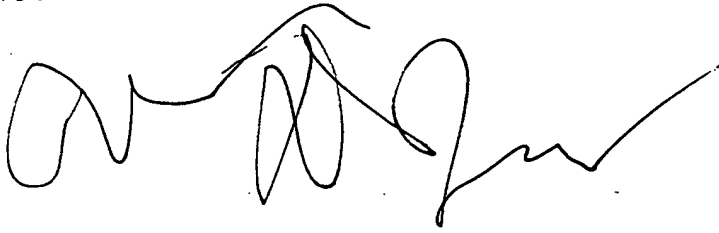
David Jung

Patent Examiner

10/3/06